

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOFIA VASQUEZ, HERMENEGILDO CANDIA, and
MAIRA NARANJO,

Plaintiffs,

-v-

NUEVO TULCINGO AZTECA CORP. d/b/a NUEVO
AZTECA, GILBERTO MOLINA, and ANGEL MOLINA,

Defendants.

CIVIL ACTION NO. 23 Civ. 355 (PGG) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

The Honorable Paul G. Gardephe has referred to me for Report & Recommendation (ECF No. 33) Plaintiffs' motion for default judgment (ECF No. 24–25 (the "Motion")). By **February 26, 2024**, to support Plaintiffs' request for attorneys' fees (ECF No. 24 ¶¶ 41–45), Plaintiffs' counsel shall file contemporaneous billing records. By **March 1, 2024**, Plaintiff shall serve on Defendants its billing records; the documents filed at ECF Nos. 20–25, 27–30, and 32–33; and this Order, and file proof of service on the docket.

Defendants shall file their response to the Motion, if any, by **March 15, 2024**. If Defendants (1) fail to respond to the Motion, or (2) fail to contact my Chambers by the date their response to the Motion is due, I intend to issue a Report & Recommendation concerning the Motion and Plaintiffs' damages based on Plaintiffs' written submissions alone, without an in-court hearing. See Trans. Marine Claims Agency, Inc. v. Ace Shipping Corp., 109 F.3d 105, 111 (2d Cir. 1997) ("it [is] not necessary for the District Court to hold a hearing, as long as it ensured that there was a basis for the damages specified in the default judgment") (quoting Fustok v. ContiCommodity Servs., Inc., 873 F.2d 38, 40 (2d Cir. 1989)).

Dated: New York, New York
February 21, 2024

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge